

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MONTAMER CORPORATION,

Plaintiff,

PLAINTIFF'S
ANSWER TO
COUNTERCLAIMS

-vs-

HARTFORD INSURANCE COMPANY OF
THE MIDWEST,

07 CIV 6531-KMK

Defendant.

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Plaintiff, Montamer Corporation, by and through its attorneys, Finkelstein & Partners, LLP, answers the Counterclaims of Defendant's Answer as follows:

1. Admits allegations contained in unnumbered paragraph following the heading "Counterclaims" and preceding paragraph numbered "16"; paragraph numbered 16, paragraph numbered "17".
2. With respect to paragraph numbered "19", admits that Mr. Picuric sold the premises and began packaging Montamer's inventory in preparation of the move to a smaller location; denies the remainder of the allegation.
3. With respect to paragraph numbered "23", admits that a fire occurred on March 25, 2006; denies the remainder of the allegation.
4. With respect to paragraph numbered "24", admits that Montamer presented a claim to Hartford for damage sustained during the fire; denies the remainder of the allegation.

5. With respect to paragraph numbered "25", admits that in a letter dated July 3, 2007, Hartford notified Montamer that it was disclaiming insurance coverage; denies that the only basis for the denial was fraud; admits that a copy the disclaimer letter is attached to the Answer as Exhibit B.
6. With respect to paragraphs numbered "26" and "27" the language of the Policy speaks for itself.
7. Denies each and every allegation contained in paragraphs numbered "18", "20", "21", "22", "28", "30", "31", "33" and "34" of defendant's counterclaims.

AS AND FOR AN AFFIRMATIVE DEFENSE TO THE COUNTERCLAIMS

8. The plaintiff fulfilled all terms and conditions of the subject insurance policy and is entitled to coverage thereunder.

WHEREFORE, plaintiff, Montamer Corporation, demands judgment dismissing defendant's counterclaims in the answer, together with plaintiff's costs and disbursements.

October 25, 2007



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